

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

NICHOLAS JAMES MCGUFFIN, as an) Civil No.
individual and as guardian ad) 6:20-cv-01163-
litem, on behalf) MK
Of S.M., a minor,)

Plaintiffs,)

vs.)

MARK DANNELS, PAT DOWNING, SUSAN)
HORMANN, MARY KRINGS, KRIS)
KARCHER, SHELLY MCINNES, RAYMOND)
MCNEELY, KIP OSWALD, MICHAEL)
REAVES, JOHN RIDDLE, SEAN)
SANBORN, ERIC SCHWENNINGER,)
RICHARD WALTER, CHRIS WEBLEY,)
ANTHONY WETMORE, KATHY WILCOX,)
CRAIG ZANNI, DAVID ZAVALA, JOEL)
D. SHAPIRO AS ADMINISTRATOR OF)
THE ESTATE OF DAVID E. HALL,)
VIDOCQ SOCIETY, CITY OF COQUILLE,)
CITY OF COOS BAY, and COOS)
COUNTY,)

Defendants.)

DEPOSITION OF SUSAN HORMANN
Taken in behalf of Plaintiffs
May 06, 2022

* * *

1 BE IT REMEMBERED THAT, pursuant to the Oregon
2 Rules of Civil Procedure, the remote deposition of
3 SUSAN HORMANN was taken by Amanda K. Fisher, Certified
4 Shorthand Reporter, on May 06, 2022, in the City of
5 Portland, County of Multnomah, State of Oregon.

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8 APPEARANCES:

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20

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23 Coos Bay, Coos County, Craig Zanni, Chris Webley,
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2 BY: JESSE B. DAVIS
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11 BY: KARIN L. SCHAFFER

12 Also present: Nicholas McGuffin, Mary Krings,
13 Marla Kaplan
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1 PORTLAND, OREGON; FRIDAY, MAY 06, 2022

2 9:00 A.M.

3 * * *

4 SUSAN HORMANN

5 called as a witness in behalf of Plaintiffs,

6 having first been sworn by the Reporter,

7 testifies as follows:

8

9 EXAMINATION

10

11 MS. PURACAL: Why don't we do a round of
12 introductions for the record, just to get that on here.

13 This is Janis Puracal for Plaintiffs, and I
14 have Andrew Lauersdorf with me. Plaintiff, Nick
15 McGuffin, will be joining shortly.

16 MS. SCHAFFER: Good morning. My name is
17 Karin Schaffer. One of the attorneys representing
18 Richard Walter and the Vidocq Society, sometimes
19 referred to the Vidocq Defendants.

20 MS. HENDERSON: I'm Sarah Henderson. I'm
21 here on behalf of all of the Municipal Defendants.

22 MR. DAVIS: Jesse David on behalf of the
23 deponent and the State Defendants.

24 MS. PURACAL: And it looks like we have
25 Todd Marshall on for the Department of Justice, as

1 A. Yes.

2 Q. Once you transferred into the DNA unit, did you
3 receive a different title other than criminalist?

4 A. No.

5 Q. Did your title as criminalist continue until the
6 time that you left Oregon State Police?

7 A. No.

8 Q. At what point did your title change?

9 A. In 2008 I became the DNA Unit Supervisor.

10 Q. What did that work involve?

11 A. That was overseeing the DNA unit and the
12 analysts in that unit; you know, budget, operations,
13 supervision of employees.

14 Q. Were you also doing DNA work, or were you on the
15 management end?

16 A. There was a transition time where I was still
17 doing some, but not very much DNA work.

18 Q. How long was that transition time?

19 A. Probably until 2010. Through 2010 probably.

20 Q. After 2010, or sometime in 2010, were you the
21 DNA Unit Supervisor exclusively?

22 A. During that transition time, 2010, I took a
23 temporary position as Operations Manager at the Salem
24 General Headquarters, so it was -- I sort of had both
25 hats on for a little while.

1 BY MS. PURACAL: (Continuing)

2 Q. Before we took a break, Ms. Hormann, I was
3 sharing my screen with you, and I'll do that again. I
4 was showing you what I have marked as Exhibit 1, which
5 is your May 24th, 2010 report.

6 Did you get a chance to take a look at that?

7 A. Yes.

8 Q. Why did this set of requests go to you in 2010?

9 A. Because I was -- my recollection is because I
10 was the one that technically reviewed the work by Mary
11 Krings, who was the original analyst in the case. That
12 was sort of the unwritten protocol that -- you know,
13 that the person who technically reviewed it, if the
14 analyst was no longer working there, would normally be
15 the person to do any additional analysis.

16 Q. You said that was the unwritten protocol. Why
17 was that the unwritten protocol?

18 A. Because there might've been some other reason
19 why, you know, somebody else was assigned to the case.
20 But it made sense that, you know, since the person who
21 had technically reviewed it was -- was the most
22 familiar with it, next to the analyst who had original
23 ly worked it, it made sense that, if possible, they
24 would do the analysis.

25 Q. Before you did that analysis in 2010, what would

1 Q. Let's go back to what I had marked as Exhibit 6.
2 This was your declaration from 2019. In paragraph 3
3 here it says, "In 2000, if an allele peak was below 150
4 RFUs and above 50 RFUs, the protocol states that the
5 peak may be interpreted with caution. The analysts
6 have the discretion whether to report information
7 between 50 RFUs and 150 RFUs."

8 Was it your understanding that the lab protocol
9 allowed the analyst to choose whether to report the
10 information or whether to interpret that data?

11 A. It was to report it. The -- what I think of as
12 the interpretation is what is then written on the
13 allele call profile, plus you're writing down what your
14 observations are there. I don't know, maybe that's
15 documentation. Probably maybe splitting hairs, but it
16 was their discretion to report the information.

17 Q. So let me see if I can bring up a document to
18 make sure that we're talking about the same thing.

19 (Exhibit No. 9 marked for identification.)

20 Q. So this is Exhibit 9. This is the allele call
21 chart for -- or the allele call table for the samples
22 from Ms. Freeman's shoes. This is the document that
23 you may recognize. We discussed it during Ms. Krings'
24 deposition yesterday.

25 So when you said the allele call table, is this

1 C E R T I F I C A T E

2 STATE OF OREGON)

3) ss.

4 COUNTY OF MULTNOMAH)

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6 I, Amanda K. Fisher, a Certified Shorthand
7 Reporter, do hereby certify that, pursuant to
8 stipulation of counsel for the respective parties
9 hereinbefore set forth, SUSAN HORMANN remotely appeared
10 before me at the time and place set forth in the
11 caption hereof; that at said time and place I reported
12 in Stenotype all testimony adduced and other oral
13 proceedings had in the foregoing matter; that
14 thereafter my notes were reduced to typewriting under
15 my direction; and that the foregoing transcript, pages
16 1 to 137, both inclusive, constitutes a full, true and
17 accurate record of all such testimony adduced and oral
18 proceedings had, and of the whole thereof.

19 Witness my hand and stamp at Portland, Oregon,
20 May 17, 2022.

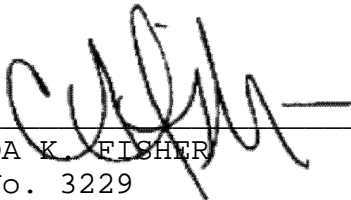
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AMANDA K. FISHER
CSR No. 3229



DEPONENT: Susan Hormann

[illegible]

State of Oregon
Washington County

Susan Hormann
Susan Hormann

Subscribed and sworn to before me under the penalties of perjury, this 2nd day of June, 2022

Jill Wiener Grefenbacher

Notary Public for the State of Oregon.
My commission expires: 9/29/2025

